

ADC No.18/2009/NTC/PB
National Tariff Commission
Government of Pakistan

Notice of Initiation of Investigation Pursuant to the Decision of the Islamabad High Court Islamabad in Writ Petition No.1572 of 2010 Regarding Imposition of Anti-Dumping Duty on Imports of One Side Coated Duplex Grey Back Paper Board into Pakistan Originating in and/or Exported from the People's Republic of China, Republic of Indonesia, Republic of Korea and Chinese Taipei (Taiwan)

The National Tariff Commission (the "Commission") received an anti-dumping application ("Application") under Section 20 of the Anti-Dumping Duties Ordinance 2000 (the "Ordinance") on May 27, 2009 from Century Paper and Board Mills Limited, Karachi (the "Applicant") on behalf of domestic industry producing One Side Coated Duplex Grey Back Paper Board weighing from 230 g/m² to 400 g/m² (the "Paperboard") alleging dumping of the Paperboard during the period 2006, 2007, 2008 and January-March, 2009 into Pakistan originating in and/or exported from the People's Republic of China, Republic of Indonesia, Republic of Korea and Chinese Taipei (Taiwan) (herein after collectively referred as the "Exporting Countries"). The Commission initiated the investigation on the Application on June 26, 2009, under Section 23 of the Ordinance, made preliminary determination on December 21, 2009 under Section 37 of the Ordinance.

Decisions of the Commission to initiate investigation and preliminary determination in this case were challenged in the Islamabad High Court Islamabad through Civil Petition No.1572 of 2010 on the ground that the Impugned Order and all further determinations, proceedings, orders, actions including the preliminary determination arising out of the Impugned Order in respect of the Application for impositions of anti-dumping duty on paperboard, are illegal on the grounds of the Law laid down by Supreme Court of Pakistan. The Islamabad High Court Islamabad in its order dated May 23, 2011, set aside the Commission's notification, on the grounds that the order of initiation of investigation was quorum non-judice (as only two members of the Commission instead of three had signed the notice for initiation of the investigation), and remanded the matter back to the Commission directing the Commission to proceed afresh with the Application in accordance with Section 11 of National Tariff Commission Act, 1990 with the Ordinance. Therefore, in pursuance of the Order of the Islamabad High Court Islamabad, the Commission has decided to investigate the matter arising from the Application afresh.

- i. **Product under investigation** investigated product would be the same as defined in Commission's notice No.18/2009/NTC/PB published in the Official Gazette and national press on June 26, 2009.
- ii. Same evidence and information received/collected during the original investigation would be used for current investigation.
- iii. Interested parties would be provided opportunities to comment during the investigation conducted by the Commission.
- iv. Date of initiation of this investigation would be the date of publication of this notice in the press in Pakistan.

Interested Parties.

Interested parties, as defined in Section 2(j) of the Ordinance, are requested to identify themselves to the Secretary, National Tariff Commission, State Life Building No.5, Blue Area, Islamabad, Tel: +92-51-9202839 Fax: +92-51-9221205 not later than 7 days after the publication of this notice. An interested party applying for registration with the Commission in these proceedings should submit; the name of the company, its line of business, name of authorized person, address, telephone number and fax number.

All interested parties are invited to make their views/comments about the proceedings (if any) not later than 15 days of the date of publication of this notice in the press in Pakistan. All submissions regarding the proceedings should be submitted to the Director General (Investigation-II), National Tariff Commission, State Life Building No.5, Blue Area, Islamabad. Tel: +92519218968, Fax: +92-51-9221205.

Hearing: Any interested party in this case may, if it so wishes, request a hearing in accordance with Rule 14 of the Rules within 15 days of the date of publication of this notice by contacting Secretary, National Tariff Commission, State Life Building No.5, Blue Area, Islamabad, Tel: +92-51-9202839 Fax: +92-51-9221205.

Public File:

In accordance with Rule 7 of the Anti-Dumping Duties Rules, 2001, the Commission has established and shall maintain a public file at the offices of the Commission, which shall be available to the interested parties for review and copying from Monday to Thursday between 1100 hours to 1300 hours throughout the proceedings.

Further Information:

For further information please contact, Director General (Investigation-II), National Tariff Commission, State Life Building No.5, Blue Area, Islamabad. Tel: +92-51-9218968, Fax: +92-51-9221205. General information may also be obtained by accessing the Commission's official website www.ntc.gov.pk

By order of the Commission

(Muhammad Shahid)
Secretary
January 11, 2012

